

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816-7100  
(916) 445-7000 Fax: (916) 445-7053  
calshpo@parks.ca.gov  
www.ohp.parks.ca.gov



Received &amp; Inspected

FFR 07 2014

FCC Mail Room

February 3, 2014

Commission Secretary, Office of the Commission  
Federal Communication Commission (FCC)  
445 12th St. SW, Room TW-A325  
Washington, DC 20554

RE: Proposed Rulemaking WT Docket No. 13-238 Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, WC Docket No. 11-59 Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting, and WT Docket No. 13-32, Amendment of parts 1 and 17 of the Commission's Rules Regarding Public Notice Procedures for Processing Antenna Structure Registration Application for Certain Temporary Towers, 2012 Biennial Review of Telecommunications Regulations

Dear Secretary of the Commission:

I thank the FCC for seeking comments on are the installations of Distributed Antenna Systems (DAS) considered an undertaking and whether or not to pursue a national program alternative such as a Programmatic Agreement.

I applaud the Commission's intentions to reduce barriers to the implementation of wireless infrastructure investments by adopting a more expedited environmental review for the effects of the deployment of small cells, Distributed Antenna Systems (DAS), and other small-scale wireless technologies.

However, my particular concern is and remains that an adequate Section 106 review for historic properties be conducted despite the assertion that these new wireless technologies, because of their size or other intrinsic characteristics, are anticipated to have a minimal effect on the environment or on historic properties.

Pursuant to the existing Nationwide Programmatic Agreement for the Collocation of Wireless Antennas (Collocation Agreement), most collocations are excluded from routine historic preservation review with some defined exceptions.

Therefore, based on the history of past reviews of DAS systems in California and on the content of the Collocation Agreement, I am issuing the following comments:

- The deployment of a DAS or other small cell system is an Undertaking pursuant to 36CFR Part 800.16(y).
- Small cell and DAS facilities deployment should not be categorically excluded from all environmental processing for both NEPA and Section 106 as the effect

No. of Copies rec'd  
List ABCDE

0+5

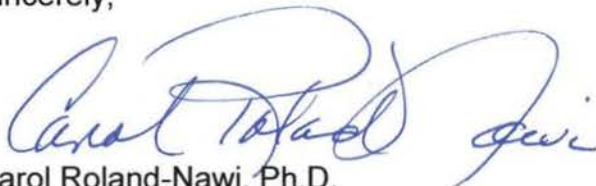
on historic properties must be established through the consultative review process.

- Either expand/modify the exceptions of the Collocation Agreement for an expedited review of DAS installation or consider a separate programmatic approach which sets up additional exceptions and exclusions.
- Review of DAS system deployments for the interior and exterior of National Register (NR) listed or eligible historic properties must occur.
- Any proposed exemption from Section 106 review should consider the location of the proposed facilities, e. g. utility or telecommunications rights-of-way, or above-ground utility transmission or distribution lines, new buildings (not 50 years of age), etc.
- Utility poles that are 45 years or older I recommend be exempted from Section 106 review.
- Utility corridors that have utility poles and associated infrastructure, even when identified as listed or eligible for the NR, I recommend to be exempted.
- DAS or small cell facilities installation that have ground disturbance must have a Section 106 review and tribal consultation.
- Any deployment of DAS or small cell applications in historic districts must undergo Section 106 review as the placement requirements of the DAS antennas will require building façade installations to not interfere with any existing antenna systems on roof tops or building parapets that are parts of other collocation systems.

Whether this installation described in the last bullet has an effect or no adverse effect or an adverse effect on historic properties must be consulted on. The presumption of minimal environmental effects of DAS small-size installations warranting exclusion from Section 106 review is not a forgone conclusion. Consultation under the NHPA remains necessary.

If you have any questions or concerns, I can be reached at (916) 445-7043 or at [Carol.Roland-Nawi@parks.ca.gov](mailto:Carol.Roland-Nawi@parks.ca.gov).

Sincerely,



Carol Roland-Nawi, Ph.D.  
State Historic Preservation Officer

CC: Erik M. Hein, Executive Director, National Conference of State Historic Preservation Officers  
Milford Wayne Donaldson, Chairman, Advisory Council on Historic Preservation (ACHP)